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ART. XIII.—*On a Passage in an ancient Inscription at Sanchi near Bhilsa, proving the Proprietary Right in the Soil to be in the Subject and not in the Prince.* By LIEUT.-COL. W. H. SYKES, F.R.S.

(Read 20th June, 1840.)

IN a paper of mine published in the 4th and 6th numbers of the *Journal of the Royal Asiatic Society*, on Land Tenures in Dakhun (Deccan), I endeavoured to prove, and I believe successfully, from the authority of the Mahratta princes themselves, that the proprietary right in the soil in Dakhun was vested in the subject, and not in the prince, and I expressed my belief that such was the case all over India, and had been so from antiquity. It was therefore with no ordinary gratification, that I found a confirmation of my opinion in an inscription on the colonnade of a Buddhist tope or chaitya, at Sanchi, near Bhilsa in Bhopal, recorded in the 6th volume of the *Journal of the Asiatic Society of Bengal*, p. 456., and the translation of which, from the ancient Deva Nagari character, we owe to the indefatigable zeal, the singular ingenuity, and the varied knowledge of the lamented Mr. James Prinsep.

The inscription records a grant of money and lands for the support of five ascetics, on the part of the Great Emperor Chandra Gupta, by his agent, to the Buddhist tope or chaitya, which must have been of great dignity and respect, from its magnitude, and the varied, numerous, and laboured sculptures connected with it.

The following is the inscription:—

“To the all-respected Sramanas; the chief priests of the *Avasath* ceremonial, who by deep meditations have subdued their passions, the champions [sword] of the virtues of their tribe.

“The son of Amuka, the destroyer of his father’s enemies, the punisher of the oppressors of a desolated country, the winner of the glorious flag of victory in many battles, daily by his good council, gaining the esteem of the worthy persons of the court, and obtaining the gratification of every desire of his life through the favour of the great Emperor Chandra Gupta; having made salutation to the eternal gods and goddesses, has given a piece of ground *purchased at the legal rate*, also five temples, and twenty-five [thousand] dinars, [half of which has been spent for the purchase of the said ground], as an

act of grace and benevolence of the great Emperor Chandra Gupta, generally known among his subjects as Deva raja [Indra].

"As long as the sun and moon [shall endure] so long shall these five ascetics enjoy the jewel-adorned edifice, lighted with many lamps. For endless ages after me and my descendants, may the said ascetics enjoy the precious building, and the lamps. Whoso shall destroy the structure, his sin shall be as great, yea, five times as great as that of the murderer of a Brahman. In the Samvat, [or year of his reign], $\frac{3}{4}$ [in the month of Bhadrapada], the tenth [day]."

There is no year or era; and the period of the Gupta's, in the opinion of different antiquaries, ranges from the time of Alexander the Great to the tenth century. Dr. Mill considers those mentioned on the Allahabad column as contemporary with Charlemagne. Capt. Smith, who describes the tope, says, the inscription is evidently more modern than the building, and is an irregular addition to the sculpture of the gate. Capt. Cunningham conjectures A.D., 475. The character of the Deva Nagari appears to me to be that in use between the sixth and ninth centuries, and the mention of the sin of the murder of a Brahman would imply, that period of the rising Brahmanical influence consequent on the decline of Buddhism; but the sin, be it remarked, was not one-fifth so great as taking away the lands from these five Buddhist ascetics. We know that the inscription must be centuries after its precursors the twenty-five inscriptions in the Lāt character which are engraved in the same tope or chaitya; and of the existence and use of which character, in the time of Alexander's immediate successors, we have indubitable proof in the inscriptions upon the coins of Agathocles and Pantaleon. The exact date, however, matters not to me; it suffices for my purpose, that, between 300 years B.C. and the tenth century, the great Emperor Chandra Gupta, through his agent, *bought the land* which he gave to the Buddhist temple, with the current coin of the time; which appears to have been the Dinar¹! Had the sovereign considered himself the owner of the soil, he would have *taken* what he wanted from the occupants, and not bought it. I trust these facts and examples will have their due weight with the supporters of the doctrine of the omnipotence of Indian governments.

¹ The Chinese traveller Fabian mentions king Prasene's minister of Sravasti, B.C. 543, having *bought* a piece of ground to attach a garden to a temple of Buddha; and we find in the Bible that the Egyptians *sold their land* to Pharaoh, in Joseph's time, during the famine.